

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
CASE NUMBER 08-CV-1722

GD DEAL HOLDINGS, LLC

PLAINTIFF

v.

SURINDER MULTANI, et al.

DEFENDANTS

MOTION FOR DEFAULT JUDGMENT AND
ENTRY OF CHARGING ORDER AGAINST
JUDGMENT DEBTOR'S INTEREST IN SAPPHIRE SUPPLY, LLC

Comes now the Plaintiff, GD Deal Holdings, LLC ("GD Deal Holdings"), by and through counsel, and, pursuant to FED. R. CIV. P. 54, FED. R. CIV. P. 69, and 805 ILCS 180/30-20, for its Motion for Default Judgment and Entry of Charging Order Against Judgment Debtor's Interest in Sapphire Supply, LLC ("Sapphire Supply"), states as follows:

1. On May 11, 2007, the United States District Court for the Western District of Kentucky granted a judgment to GD Deal Holdings against Surinder Multani for the recovery of \$10,048,295.12 with interest thereon at the judgment rate of 4.9% per annum from the date of judgment until paid.

2. On September 4, 2007, GD Deal Holdings registered the judgment in the United States District Court for the Northern District of Illinois, Case Number 1:07-cv-04965.

3. GD Deal Holdings is informed, and on the basis of such information and belief alleges, that Surinder Multani is a member of Sapphire Supply. A copy of a page from Surinder Multani's 2004 1040 Tax Return demonstrating ownership in Sapphire Supply is attached hereto as "Exhibit A". A copy of a printout from the Illinois Secretary of State's website demonstrating that Surinder Multani is the registered agent for service of process for Sapphire Supply is attached hereto as "Exhibit B".

4. Sapphire Supply was served with process on April 11, 2008, and has failed to file responsive pleadings herein within twenty (20) days thereafter, said Defendant being in default. A copy of an Affidavit of Service on Sapphire Supply is attached hereto as "Exhibit C".

5. GD Deal Holdings is entitled, under FED. R. CIV. P. 69 and 805 ILCS 180/30-20, to a charging order against the interest of Surinder Multani in Sapphire Supply.

6. The instant Motion is based on the Affidavit of counsel for GD Deal Holdings, attached hereto as "Exhibit D", and all the pleadings, records and papers on file in this action.

WHEREFORE, the Plaintiff, GD Deal Holdings, LLC, requests:

1. An Order requiring Sapphire Supply to produce a copy of all agreements concerning Surinder Multani's interest and the interest of other members in Sapphire Supply, together with evidence showing the interest of Surinder Multani in the income of Sapphire Supply;

2. A charging order against Surinder Multani's interest in Sapphire Supply or any other entity or joint venture in which Surinder Multani has an interest; and

3. Such further relief, at law or in equity, that the Court deems just and proper.

This day, July 23, 2008.

THOMAS M. FALKENBERG
WILLIAMS MONTGOMERY & JOHN LTD.
20 North Wacker Drive, Suite 2100
Chicago, Illinois 60606-3094
Telephone: (312) 443-3200

-and-

HARNED, BACHERT & DENTON, LLP
324 East Tenth Avenue
Post Office Box 1270
Bowling Green, Kentucky 42102-1270
Telephone: (270) 782-3938

/s/ Scott A. Bachert
SCOTT A. BACHERT

CERTIFICATION:

This is to certify that a true and correct copy of the foregoing document was electronically filed with the Clerk of the Court this day, July 23, 2008, by using the CM/ECF system, which will send a notice of electronic filing to the following:

Hon. Lucia Nale
Hon. Diane Renae Sabol
Hon. Nicole J. Highland
MAYER BROWN LLP
71 South Wacker Drive
Chicago, Illinois 630606-4637

Hon. Robert T. Kuehl
WELTMAN, WEINBERG & REIS CO., L.P.A.
180 N. LaSalle Street, Suite 2400
Chicago, Illinois 60601

This is to certify that a true and correct copy of the foregoing document was this day, July 23, 2008, placed in the US Mail, postage prepaid, addressed to the following:

Hon. Leroy Simms
6061 Savoy Drive
Houston, Texas 77036

Sapphire Supply, LLC
c/o: Surinder Multani, Registered Agent
2015 S. Arlington Hts. Rd. #120
Arlington Heights, Illinois 60005

Hon. James O. Stola
3701 West Fullerton Avenue
Chicago, Illinois 60647

JGG Investments, LLC
c/o: Kishor Shah, Registered Agent
5 Whippoorwill Court
Roselle, Illinois 60172

Surinder Multani
302 Midwest Club
Oak Brook, Illinois 60523

ABBE Capital and Leasing, LLC
c/o: Surinder Multani, Registered Agent
2015 S. Arlington Hts. Rd. #120
Arlington Heights, Illinois 60005

Safanpreet Multani
302 Midwest Club
Oak Brook, Illinois 60523

ABBE Management Group, LLC
c/o: Robert S. Luce, Registered Agent
399 Quentin Rd. Ste. A
Palatine, Illinois 60067

Surinder Multani
24 Bright Ridge Drive
Schaumburg, Illinois 60194

Babaji PS, LLC
c/o: Narendra Bhalla, Registered Agent
1718 Fry Road, Suite 415
Houston, Texas 77084

Safanpreet Multani
24 Bright Ridge Drive
Schaumburg, Illinois 60194

ABBE Properties, LLC
c/o: Surinder Multani, Registered Agent
2015 S. Arlington Hts. Rd. #120
Arlington Heights, Illinois 60005

Capital Access & Investments, LLC
c/o: Narendra Bhalla, Registered Agent
1718 Fry Road, Suite 415
Houston, Texas 77084

G & S Portage, Inc.
c/o: Ajai Agnihotri, Registered Agent
1856 Samuelson Road
Portage, Indiana 46368

/s/ Scott A. Bachert
SCOTT A. BACHERT

11/04/2005 17:02
Nov. 4. 2005 4:01PM

No. 1736 P. 6

Schedule E (Form 1040) 2004

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Page 2

Name(s) shown on return. Do not enter name and social security number if shown on Page 1.

Your social security number

Surinder & Safanpreet K Multani

Caution: The IRS compares amounts reported on your tax return with amounts shown on Schedule(s) K-1.

Income or Loss From Partnerships and S Corporations

Note. If you report a loss from an at-risk activity for which any amount is not at risk, you must check column (e) on line 28 and attach Form 6788. See instructions.

- 27 Are you reporting any loss not allowed in a prior year due to the at-risk or basis limitations, a prior year unallowed loss from a passive activity (if that loss was not reported on Form 8582), or unreimbursed partnership expenses? ☐ Yes ☒ No
If you answered 'Yes,' see instructions before completing this section.

28	(a) Name	(b) Enter P for partnership; S for S corporation	(c) Check if foreign partnership	(d) Employer identification number	(e) Check if any amount is not at risk
	A Abbe Management Group LLC	S		14-1885935	
	B Sapphire Supply LLC	S		56-2389655	
	C				
	D				

Passive Income and Loss		Nonpassive Income and Loss		
(a) Passive loss allowed (attach Form 8582 if required)	(b) Passive income from Schedule K-1	(c) Nonpassive loss from Schedule K-1	(d) Section 179 expense deduction from Form 4582	(e) Nonpassive income from Schedule K-1
A			58,000.	246,644.
B				56,268.
C				
D				
29a Totals				302,912.
b Totals			58,000.	
30 Add columns (a) and (b) of line 29a			30	302,912.
31 Add columns (c), (d), and (e) of line 29b			31	-58,000.
32 Total partnership and S corporation income or (loss). Combine lines 30 and 31. Enter the result here and include in the total on line 41 below			32	244,912.

Income or Loss From Estates and Trusts

33	(a) Name	(b) Employer ID no.
A		
B		

Passive Income and Loss		Nonpassive Income and Loss	
(c) Passive deduction or loss allowed (attach Form 8582 if required)	(d) Passive income from Schedule K-1	(e) Deduction or loss from Schedule K-1	(f) Other income from Schedule K-1
A			
B			
34a Totals			
b Totals			
35 Add columns (c) and (d) of line 34a		35	
36 Add columns (e) and (f) of line 34b		36	
37 Total estate and trust income or (loss). Combine lines 35 and 36. Enter the result here and include in the total on line 41 below		37	

Income or Loss From Real Estate Mortgage Investment Conduits (REMICs) - Residual Holder

38	(a) Name	(b) Employer identification number	(c) Excess inclusion from Schedules Q, line 2c (see instructions)	(d) Taxable income (net loss) from Schedules Q, line 1b	(e) Income from Schedules Q, line 3b
39 Combine columns (d) and (e) only. Enter the result here and include in the total on line 41 below				39	

Summary

40 Net farm rental income or (loss) from Form 4835. Also, complete line 42 below	40	
41 Total income or (loss). Combine lines 28, 32, 37, 39, and 40. Enter the result here and on Form 1040, line 17	41	244,912.
42 Reconciliation of farming and fishing income. Enter your gross farming and fishing income reported on Form 4835, line 7; Schedule K-1 (Form 1065), box 14, code B; Schedule K-1 (Form 1120S), box 17, code N; and Schedule K-1 (Form 1041), line 14 (see instructions)	42	
43 Reconciliation for real estate professionals. If you were a real estate professional (see instructions), enter the net income or (loss) you reported anywhere on Form 1040 from all rental real estate activities in which you materially participated under the passive activity loss rules	43	

BAA

FDZ2302 03/12/04

Schedule E (Form 1040) 2004

[SERVICES](#)[PROGRAMS](#)[PRESS](#)[PUBLICATIONS](#)[DEPARTMENTS](#)[CONTACT](#)

LLC FILE DETAIL REPORT

Entity Name	SAPPHIRE SUPPLY, LLC	File Number	00919802
Status	NGS	On	05/01/2008
Entity Type	LLC	Type of LLC	Domestic
File Date	05/15/2003	Jurisdiction	IL
Agent Name	SURINDER S. MULTANI	Agent Change Date	05/15/2003
Agent Street Address	2015 S ARLINGTON HTS RD #120	Principal Office	2015 S ARLINGTON HTS RD #120 ARLINGTON HEIGHTS 60005
Agent City	ARLINGTON HEIGHTS	Management Type	MBR
Agent Zip	60005	Dissolution Date	PERPETUAL
Annual Report Filing Date	00/00/0000	For Year	2008
Assumed Name	INACTIVE - SAPPHIRE CONSULTING		
Series Name	NOT AUTHORIZED TO ESTABLISH SERIES		

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IN THE UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS
GD Deal Holdings, LLC

vs. Surinder Multani, et al.

Case Number 08 CV 1722

AFFIDAVIT OF SERVICE

I, Ronald Steffens, being first duly sworn on oath deposes and states that I am over the age of 18 years and not a party to this action, and on the 11 day of April, 2008, at 08:15 PM at 24 Bright Ridge, Schaumburg, IL 60194, did serve the following document(s):

Summons and Complaint

Upon: **Sapphire Supply, LLC**

By: ☒ Personally serving to: Surinder Multani

☐ leaving copies at the usual place of abode with:

a member of the household 13 years or upwards and informed that person of the contents thereof

☐ by mailing copies of said document(s) in a sealed envelope with postage fully prepaid to the defendant at 24 Bright Ridge, Schaumburg, IL 60194 on

Description: Sex	Male	Race	Middle Eastern	Approximate Age	56
Height	5'10	Weight	160	Hair Color	Black

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this affidavit of service are true and correct.

Further the Affiant Sayeth Naught:



Ronald Steffens
United Processing, Inc.
55 West Wacker Drive, 9th Floor
Chicago, IL 60601
IL License #117-001101

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
CASE NUMBER 08-CV-1722**

GD DEAL HOLDINGS, LLC

PLAINTIFF

v.

SURINDER MULTANI, et al.

DEFENDANTS

AFFIDAVIT OF SCOTT A. BACHERT

Scott A. Bachert, being sworn, deposes and says:

1. He is attorney for GD Deal Holdings, LLC, Plaintiff and judgment creditor in the above-entitled action, and makes this Affidavit in support of Plaintiff's foregoing Motion for Default Judgment and Entry of Charging Order Against Judgment Debtor's Interest in Sapphire Supply, LLC.

2. On May 11, 2007, the United States District Court for the Western District of Kentucky granted a judgment to GD Deal Holdings against Surinder Multani for the recovery of \$10,048,295.12 with interest thereon at the judgment rate of 4.9% per annum from the date of judgment until paid.

3. On September 4, 2007, GD Deal Holdings registered the judgment in the United States District Court for the Northern District of Illinois, Case Number 1:07-cv-04965.

4. The judgment remains outstanding and unsatisfied.

5. Affiant is informed and believes, and on that basis alleges, that Surinder Multani is a member of Sapphire Supply, LLC and the interest of Surinder Multani may properly be charged with the unpaid judgment in this action.

6. Sapphire Supply, LLC was served with process on April 11, 2008.

7. Sapphire Supply, LLC has failed to file responsive pleadings herein.

8. Affiant has received no pleadings or papers from Sapphire Supply, LLC.

This the 23rd day of July, 2008.


SCOTT A. BACHERT

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF WARREN)

Subscribed, sworn to and acknowledged before me by Scott A. Bachert, on this the 23rd
day of July, 2008.


Sheila Stephens
NOTARY PUBLIC
My Commission Expires: 8/25/09

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
CASE NUMBER 08-CV-1722

GD DEAL HOLDINGS, LLC

PLAINTIFF

vs. **DEFAULT JUDGMENT AS AGAINST SAPPHIRE SUPPLY, LLC**
AND ORDER ENTERING CHARGING ORDER

SURINDER MULTANI, et al.

DEFENDANTS

** ** *

This matter having come before the Court on GD Deal Holdings, LLC's Motion for Default Judgment and Entry of Charging Order Against Judgment Debtor's Interest in Sapphire Supply, LLC, the Court finds as follows:

1. On May 11, 2007, the United States District Court for the Western District of Kentucky granted a judgment to GD Deal Holdings against Surinder Multani for the recovery of \$10,048,295.12 with interest thereon at the judgment rate.
2. On September 4, 2007, GD Deal Holdings registered the judgment in the United States District Court for the Northern District of Illinois, Case Number 1:07-cv-04965.
3. The judgment has not been satisfied.
4. GD Deal Holdings, LLC is entitled as a matter of right under 805 ILCS 180/30-20 to a charging order against any interest of Surinder Multani in a limited liability company. There is no just reason for delay in entry of a charging order.
5. Surinder Multani is a member of Sapphire Supply, LLC.
6. The records on file with the Illinois Secretary of State demonstrate that Surinder Multani serves as Sapphire Supply, LLC's registered agent.
7. Sapphire Supply, LLC was served with process and a copy of the Complaint on April 11, 2008 and has failed to file responsive pleadings; therefore, being in default.

THEREFORE, IT IS ORDERED that the Plaintiff's Motion for Default Judgment is GRANTED.

IT IS FURTHER ORDERED by the Court that the interest of Surinder Multani as a member of Sapphire Supply, LLC be and is hereby subjected to an encumbrance and charging order in favor of and for the benefit of GD Deal Holdings, LLC.

IT IS FURTHER ORDERED by the Court that Sapphire Supply, LLC pay over to GD Deal Holdings, LLC such amounts as may from time to time become payable or distributable to Surinder Multani by reason of his interest in Sapphire Supply, LLC.

IT IS FURTHER ORDERED by the Court that Surinder Multani pay to GD Deal Holdings, LLC such amounts as may from time to time become payable or distributable to Surinder Multani by reason of his interest in Sapphire Supply, LLC.

IT IS FURTHER ORDERED by the Court that Sapphire Supply, LLC produce, within fifteen (15) days of the date of this Order, a copy of all operating agreements for Sapphire Supply, LLC and/or any other agreement controlling the interest of Surinder Multani, with such documents to be provided to GD Deal Holdings, LLC's attorney, together with evidence showing the value of the capital and/or income attributable to the interest of Surinder Multani in Sapphire Supply, LLC and copies of any and all tax returns filed during the last three (3) years on behalf of Sapphire Supply, LLC.

IT IS FURTHER ORDERED by the Court that Sapphire Supply, LLC file with the Clerk of this Court, within fifteen (15) days of the date of this Order, a sworn statement reporting to the Court all amounts distributable or payable to Surinder Multani at the time of this Order. In such sworn statement, Sapphire Supply, LLC shall state the value at the time of entry of this Order of both the capital and income account attributable to Surinder Multani's interest in Sapphire Supply, LLC.

Jurisdiction is retained for such further orders and proceedings as may be necessary.

DATED, this the _____ day of _____, 2008.

JUDGE, UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

Tendered by:

THOMAS M. FALKENBERG
WILLIAMS MONTGOMERY & JOHN LTD.
20 North Wacker Drive, Suite 2100
Chicago, Illinois 60606-3094
Telephone: (312) 443-3200

-and-

HARNED, BACHERT & DENTON, LLP
324 East Tenth Avenue
Post Office Box 1270
Bowling Green, Kentucky 42102-1270
Telephone: (270) 782-3938

/s/ Scott A. Bachert
SCOTT A. BACHERT